



STATE MINING AND GEOLOGY BOARD

EXECUTIVE OFFICER'S REPORT

DATE: May 10, 2001

SUBJECT: Item 4 -- Review and Establishment of Board Committees Pursuant to the Board's Bylaws (II Organization)

ESTABLISHMENT OF BOARD COMMITTEES

BACKGROUND: The Board appoints committees to assist it in its work. Currently, the Board has established the following five committees as active:

1. Geohazards
2. Mineral Conservation
3. Mining Reclamation Standards
4. Policy
5. Inter-Board Coordinating Committee

Committees are created by a majority affirmative vote of the total authorized membership of the Board (i.e. 5 members). The Board's present list of active committees was adopted on June 15, 2000.

STATUTORY / REGULATORY / BYLAW CONSIDERATIONS: Bylaws state: *Committees: Committees may be created by a majority affirmative vote of the total authorized membership of the Board. Members of such committees shall be appointed by, and shall serve at the pleasure of, the Chairperson, who may serve as an ex-officio member of each committee. The Chairperson shall annually review the need for, and function of, each committee and make recommendations to the Board for changes as appropriate.*

DISCUSSION: The Board's Bylaws require the Chairperson to annually review the need for, and functions of, each committee and to make recommendations to the Board for changes. Effective in mid-March, 2001 the SMGB received five new appointments to its membership, as well as the appointment of a new Chairman. The Chairman desires to review the current list of active committees, and to refill those vacancies on the committees that resulted from the departure of former Board members whose terms expired.

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The Chairman has proposed that the five currently authorized committees continue with expanded functions, and that their committee names be modified to better reflect the scope of the committees' works.

Proposed Committees

A. Geohazards Committee -- This is a current standing committee. The committee's responsibilities and activities will continue and are expected to increase, especially with the renewed activities of the Division of Mines and Geology with respect to landslide hazards mapping and seismic hazards mapping programs. Alquist-Priolo Earthquake Fault Zone maps continue to be revised by the Division of Mines and Geology and will require consideration by the committee, as will the production and publication of a series of Seismic Hazards Maps under the Seismic Hazards Mapping Act. Also, there are major activities occurring relating to the standards of geologic mapping for the Watersheds Mapping Program, and for the related Timber Harvest Program, both of which involve significant DMG geological input. Also, publication SP 117 may be revised later in 2001. This revision process would be done by DMG and the Seismic Hazards Mapping Act Advisory Committee (SHMAAC) which is a subcommittee of the Geohazards Committee.

B. Minerals and Geologic Resources Committee (formerly Mineral Conservation Committee)-- This is a current standing committee with a proposed name change. The name change reflects an expanded role of the committee to address more than mineral resources, and to focus on the additional geologic resources of the State as provided for under Public Resources Code §§ 672, 674 and 676. Responsibilities of the former Public Information and Education Committee will be encompassed by the new Minerals and Geologic Resources Committee.

C. Surface Mining Standards Committee (formerly Mining Reclamation Standards Committee) -- This is a current standing committee with a proposed name change to better reflect its responsibilities under the Surface Mining and Reclamation Act. This committee has been active in the past year with SMARA reclamation and operation issues, especially in its review of the adequacy of financial assurances and annual mine inspections. The Committee may address in the coming year topics that deal with: (1) standards for active mining and post mining monitoring programs, especially in the near-stream and in-stream environments; (2) recommending, and possibly codifying, standards and requirements necessary to an abandoned mines reclamation program; (3) recommending to the Board actions regarding the review and approval of SMARA reclamation plans; (4) review of the adequacy of financial assurances for surface mines under the SMGB's jurisdiction as a lead agency.

D. Policy and Legislation Committee (formerly Policy Committee) -- This is a current standing committee with a proposed name change to reflect its current expanded activity of reviewing proposed legislation and formulating implementing regulations. This Committee has assumed the former responsibilities of the Legislation and Regulations Committee which has not met since October, 1998. This Committee also conducts the review of lead agency ordinances to determine if they are in compliance with SMARA, and works with the continuing evolution of the Board's Strategic Plan. Also, the Committee will address Federal mining issues in California pursuant to Public Resources Code § 672.

E. Inter-Board Coordinating Committee -- This is a current standing committee. The Committee meets two or three times per year, or as otherwise necessary, to coordinate activities between the SMGB and the Board for Geologists and Geophysicists (BGG) to prevent the approval by either board of duplicative or conflicting guidelines, regulations, or generation of legislation that might unintentionally adversely affect each others programs. The committee has considered expanding its general scope to include representation from the Forestry Board and the Board of Registration for Professional Engineers and Land Surveyors.

EXECUTIVE OFFICER COMMENTS: The above committee proposals present no conflicts with Statute or the Board's Bylaws. Approval of these committees and appointment of their members, or the creation of additional committees, are discretionary acts by the Board and its Chairman. The Executive Officer makes no recommendations.

SUGGESTED MOTION LANGUAGE:

Mr. Chairman, I move that the Board establish the following committees as active standing committees of the Board until such time as the Board determines to amend the active committee list:

- 1. Geohazards Committee*
- 2. Minerals and Geologic Resources Committee*
- 3. Surface Mining Standards Committee*
- 4. Policy and Legislation Committee*
- 5. Inter-Board Coordinating Committee*